

Attorney Docket: 009584-0307533

Client Reference: AFC-011

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT APPLICATION of: MARC R. BERNARD ET AL.

Application No.: 10/767,413

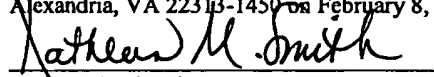
Filed: January 28, 2004

Title: System and Method for Performance Monitoring in a Passive Optical Network

**CERTIFICATE OF FAX TRANSMISSION**

Fax No. 703-305-8568

I hereby certify that this correspondence is being transmitted via facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 8, 2005

  
Kathleen M. Smith

**NOTICE OF FOREIGN FILING  
UNDER 37 C.F.R. §1.213(c)**

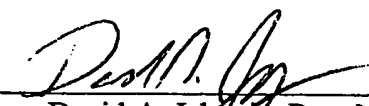
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Sir:

Applicants submit this Notice pursuant to 37 CFR 1.213(c). A Patent Cooperation Treaty (PCT) application directed to the invention disclosed in this application was filed on January 14, 2005. This notice is filed within 45 days of the filing date of the PCT application.

Respectfully submitted,

Pillsbury Winthrop LLP

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